

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 3410**  
Tsunehiro FUKUCHI et al. : Attorney Docket No. 2005\_0024A  
Serial No. 10/522,603 : Group Art Unit 1655  
Filed January 26, 2005 : Examiner Catheryne Chen  
CHINESE HERB MEDICINE COMPOSITION  
IN THE FORM OF JELLY : **Mail Stop: AMENDMENT**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed.

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b. ☒ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☒ the certification of paragraph 2 below is provided, or \_\_\_\_\_

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☒ that each item of information (except reference BA, see comments under item 6) contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

a. ☐ a full or partial English language translation submitted herewith,

- b. ☐ a European search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. [X] A Supplementary European Search Report (in English language) citing one or more of the references is enclosed.
6. [X] COMMENTS

References CB-CE are cited in the attached (and also cited) Supplementary European Search Report.

Reference BA is also cited in the attached Supplementary European Search Report, but is not certified under item 2a of this IDS. Rather, reference BA is listed on the attached PTO-1449 form in order to accurately reflect the citation for this reference. Specifically, this reference was cited by the Examiner on the PTO-892 attached to the Office Action of October 16, 2006. However, this citation contained an extra (incorrect) number. Thus, the reference is recited on the attached PTO-1449 form.

***The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.***

Respectfully submitted,

Tsunehiro FUKUCHI et al.

/Amy E. Schmid/

By 2009.01.22 16:27:07 -05'00'

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